REMARKS

Applicant thanks the Examiner for the courtesy of the telephonic interview granted on February 19, 2009. Pursuant to the results of that interview, Applicant submits this Amendment.

Claims 1-15 are all the claims pending in the application. By this Amendment, Applicant amends claims 1-3 and 5-15.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 6, 7, 9, 10, and 12 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ward in view of Abajian (U.S. Pub. 2002/0099731, hereinafter "Abajian"). Applicant respectfully traverses the rejection.

Applicant has invented, *inter alia*, a method and apparatus for providing particular metadata of multimedia content based on a characteristic, such as a type, of the multimedia content.

Conventionally, multimedia content, for example audio content, video content, and photo content, is stored on a compact disk (CD) or a digital video disk (DVD). The disk includes a file system for organizing and accessing the multimedia content. When content is played from the disk, additional information (metadata) about the multimedia content is provided to a user. For example, metadata for audio content may include the album title, song title, and running time. However, in the conventional techniques, only predetermined metadata is provided to the user, such as song title and running time, when the content is accessed regardless of the type of the multimedia content. Thus, important metadata about multimedia content may not be displayed to the user.

Accordingly, a method and apparatus that prioritize metadata about multimedia content provide the user with important information that tailored to the particular multimedia content being played back based on a type of the multimedia content. For example, claim 1 recites:

> A device for managing metadata comprising:
>
> a disc drive unit that picks up and outputs audio content and metadata recorded on a disc, the audio content associated with the metadata,
>
> wherein priorities are assigned to metadata of audio contents according to a characteristic of the audio contents, the characteristic of the audio contents based on a predetermined metadata of the audio contents, and
>
> wherein metadata of the audio content are read from the disc, and priorities for the read metadata associated with the audio content are assigned to the read metadata according to the priorities assigned to audio contents having a characteristic that is the same as a characteristic of the audio content read from the disc.

However, the combination of Ward and Abajian neither teaches nor suggests the combination of features recited in claim 1. This is because neither Ward nor Abajian, taken alone or in combination, discloses assigning priorities to metadata of audio files based on the types of audio files, determining a type of an audio file read from a disk, and assigning priorities to the metadata of the read audio file based on its type.

Instead, Ward is simply directed to a dynamic playlist for playing back audio content. *See* Ward, Abstract. Ward discloses that the playlist is generated based on content metadata, such as a user's favorite artist, but Ward does not disclose prioritizing the metadata of each individual audio file. Indeed, Ward merely discloses playing files on a content player (10), but Ward does not disclose that the metadata for each file is prioritized in any fashion. *See* Ward, col. 5, ll. 46-67. Therefore, at best, Ward is nothing more than an example of the prior art failures discussed above, in which content in the dynamic playlist are played back and standard

metadata for the content in the playlist are displayed without regard to the type of content being played back.

Abajian is directed a method of updating metadata for multimedia content. *See* Abajian, Abstract. The metadata may include composer, song title, album title, genre, etc. *See* Abajian, ¶ 32. In Abajian, when multimedia content is played back, the metadata for the content being played back is extracted, validated, and replaced or added if it is determined that inaccurate or missing metadata is discovered. *See* Abajian, ¶ 40. However, Abajian only discloses that the multimedia content is played back on a user's computer. *See* Abajian, ¶ 33. There is no teaching or suggestion that the metadata are prioritized to provide targeted metadata to the user when the multimedia content is played back. Thus, at best, Abajian is also nothing more than an example of the prior art failures discussed above.

As a result, even if Ward and Abajian could have somehow been combined, as the Examiner alleges, the combination still does not teach or suggest the combination of features recited in claim 1. Accordingly, claim 1 and its dependent claims would not have been rendered unpatentable by the combination of Ward and Abajian for at least these reasons.

Independent claims 6 and 10 recite features similar to those discussed above, and hence, claims 6, 10, and their dependent claims also would not have been rendered unpatentable by the combination of Ward and Abajian for at least reasons analogous to those discussed above regarding claim 1.

Claims 3, 4, and 11 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ward in view of Abajian as applied to claims 1, 2, 6, 9, 10, and 12, and

further in view of Tsuk et al. (U.S. Patent 7,312,785, hereinafter "Tsuk"). Applicant respectfully traverses the rejection.

Claims 3 and 4, and 11 depend on claims 1 and 10, respectively, and incorporate all the features of claims 1 and 10. Even if Ward and Abajian could have somehow been modified based on Tsuk, as the Examiner asserts in the Office Action, the combination would still not contain all the features in claims 1 and 10, and hence claims 3, 4, and 11, as discussed above. Accordingly, claims 3, 4, and 11 would not have been rendered unpatentable by the combination of Ward, Abajian, and Tsuk.

Claims 5 and 8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ward in view of Abajian as applied to claims 1, 2 and 6, and further in view of Tojo et al. (WO 02/098130, hereinafter "Tojo"). Applicant respectfully traverses the rejection.

Claims 5 and 8 depend on claims 1 and 6, respectively, and incorporate all the features of claims 1 and 6. Even if Ward and Abajian could have somehow been modified based on Tojo, as the Examiner asserts in the Office Action, the combination would still not contain all the features in claims 1 and 6, and hence claims 5 and 8, as discussed above. Accordingly, the combination of Ward, Abajian, and Tojo would not have rendered claims 5 and 8 unpatentable.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/ Christopher J. Bezak /

Christopher J. Bezak
Registration No. 63,241

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
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Date: April 17, 2009